The County Commission of Upshur County West Virginia, held their regular meeting at the Courthouse Annex on Thursday, August 13, 2009 at 9:00 a.m. Donnie R. Tenney called the meeting to order. There were present Donnie R. Tenney, Commissioner; Eugene C. Suder, Commissioner; Creed G. Pletcher, Commissioner, William A. Parker, Administrator and Terri Jo Bennett, Administrative Assistant. The meeting began with a moment of silent meditation and prayer, followed by the Pledge of Allegiance. All motions passed unanimously unless otherwise stated.

After reading of the minutes, on motion by Creed G. Pletcher seconded by Eugene C. Suder, the Commission approved the regular meeting minutes of August 6, 2009.

Jodie Akers, Board of Education Representative and Virgil Miller, Sheriff, appeared before the Commission to request the official start of the “PRO” (Prevention Resource Officer) on the first day of school, August 26, 2009 and for a review of funding. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the request and authorized the President to sign all related documents, noting that the Board of Education would be responsible for any costs not covered by the grant. (Note: if the Grant is not approved and/or if complete funding is not received).

William A. Parker provided an update/review of the Incident Software Maintenance Agreement from PTS Solutions, Incorporated. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the agreement with the understanding that the cost will be split with the City of Buckhannon with each paying $700.00, half of the cost. (copy included)

William A. Parker provided a review of the “AS400” Software Maintenance Agreement from Software Systems, Inc. The maintenance cost is $1,403.00 per month or $16,836.00 per year. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved and authorized the President to sign the agreement. (copy included)

William A. Parker provided a review of quotes for replacement of the lawnmower for the James W. Curry Park Facility. After discussion, on motion by Eugene C. Suder, seconded by Creed G. Pletcher, the Commission approved the low bid from L & T Farm Equipment, Inc. in the amount of $5,200.00. (copy included)

William A. Parker provided a review of correspondence from Robert L. Greer, Executor of the Estate of Pauline Frances Baxa requesting a meeting with the Commission and/or legal representative. Mr. Parker will follow-up with Jacob E. Reger, Prosecuting Attorney. (copy included)
William A. Parker provided a review of correspondence from Governor Joe Manchin III announcing the award of the Juvenile Accountability Block Grant to the Upshur County Commission in the amount of $29,000. (copy included)

William A. Parker provided a review of the request by Rodney Rolenson, Home Confinement Supervisor, 26th Judicial Circuit Community Corrections, for purchase of five (5) home confinement units. On motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved the purchase. (copy included)

The Commission recessed at 9:35 a.m.

The Commission reconvened at 10:15 a.m.

Bryson VanNostrand, VanNostrand Architects, appeared before the Commission and provided an update on the HVAC Project and presented the contract for signing. After discussion, on motion by Creed G. Pletcher, seconded by Eugene C. Suder, the Commission approved and authorized the President to sign the contract and all related documents pending bond requirements completed by the contractor.

Helen Phillips, Assessor, appeared before the Commission for a review of the exonerations and refunds received from her office.

The Commission approved all invoices for payment. (copy included)

The Commission approved the following purchase orders:

- Jenkins Ford Mercury, Inc.-#20101061-$500.00
- Alcon, LLC-#20101062-$200.00
- Enterprise Rent-A-Car-##20101063-$240.19

The Commission approved the following Final Settlements:

- John R. Gribble-Final Settlement
- Marion Frances Ingram-Final Settlement
- Eloise Miller-Final Settlement
- Charles E. Mills-Final Settlement
- Bradley Adam Bonner-Infant-Final Settlement
- Kala Marie Matthey-Infant-Final Settlement

The Commission approved the following “time out of the office” for Commission employees: (copy included)

- James Farry-September 14 thru 16, 2009-approved

The Commission received the following information: (copies included)

1. Upshur County E911 Communications Center Reports
   - Monthly Call Report-July 2009
   - Departmental Call Report-July 2009
   - Wrecker Report-July 2009
2. Building Permits-July 2009
5. Agendas and/or Notice of Meetings:
   • Adrian Public Service District- August 13, 2009
6. Meeting Minutes and/or Financial Reports:
   • Buckhannon River Watershed Association-June 17, 2009
   • Elkins Road Public Service District-May 19, 2009
   • Elkins Road Public Service District-June 02, 2009
   • Elkins Road Public Service District-July 07, 2009
   • Elkins Road Public Service District-July 15, 2009
7. Meetings:
   • 08/04/09-6:00 p.m.-Elkins Road Public Service District
   • 08/04/09-7:00 p.m.-Hodgesville Public Service District
   • 08/10/09-12:00 p.m.-Upshur County Family Resource Network
   • 08/10/09-4:00 p.m.-Upshur County Solid Waste Authority
   • 08/10/09-6:00 p.m.-Buckhannon-Upshur Recreational Park Advisory Board
   • 08/11/09-7:00 a.m.-Buckhannon Upshur Airport Authority
   • 08/12/09-3:00 p.m.-Tennerton Public Service District
   • 08/12/09-7:00 p.m.-Upshur County Litter Control Committee
   • 08/12/09-1:00 p.m.-Adrian Public Service District
   • 08/13/09 6:30 p.m.-Upshur County Safe Sites & Structures Ordinance Board
   • 08/17/09-7:00 p.m.-Upshur County Fair Association
   • 08/18/09-10:00 a.m.-Wes-Mon-Ty RCD
   • 08/18/09-5:00 p.m.-UC Enhanced Emergency Telephone Advisory Board
   • 08-19-09-10:00 a.m.-James W. Curry Advisory Board
   • 08/19/09-12:00 p.m.-Upshur County Development Authority – Annual Meeting
   • 08/19/09-7:00 p.m.-Lewis Upshur LEPC
   • 08/20/09-6:30 p.m.-Upshur County Youth Camp Board
   • 08/27/09-6:30 p.m.-Upshur County Fire Board
   • 08/27/09 4:00 p.m. Upshur County Public Library Board
   • TBA-6:00 p.m.-26th Judicial Circuit Community Corrections Board
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- TBA-6:00 p.m.-Region VII Planning & Development Council

8. Appointments Needed or Upcoming:
   - James W. Curry Advisory Board — (4 Vacant Positions) — County
   - Upshur County Building Commission — (AG Trusler 11/10/08) — County
   - Upshur County Civil Service Board — (Terry D. Reed 12/31/08) — Bar Association
   - UC Safe Structures & Sites Ordinance Bd. — (G. Bonnett 06/30/08) — Fire Chief - County

The Commission recessed at 11:50 a.m.
The Commission reconvened at 1:00 p.m.

Jacob E. Reger, Prosecuting Attorney, appeared before the Commission to discuss the letter from Attorney, Robert L. Greer regarding the Estate of Pauline Frances Baxa. William A. Parker will follow up and report back at the next Commission meeting.

The Commission recessed at 1:15 p.m. for the Upshur County Policy Board meeting.
The Commission reconvened at 2:20 p.m.
Bryson VanNostrand and a representative from Michel, Inc., presented the necessary bond documentation for the HVAC contract.
The Commission recessed at 2:30 p.m.
The Commission reconvened at 2:45 p.m.

Jacob E. Reger, Prosecuting Attorney, appeared before the Commission for a discussion regarding the PATH project. Mr. Reger will follow-up and report back at a future meeting on questions about the intervener status of the Commission. (Note: not on agenda, report only)

Helen Phillips, Assessor, appeared before the Commission to continue discussion concerning exonerations/refunds. After discussion, the Commission approved the following exonerations/refunds: (copies included)

- Donna L. Brown-#2512-$10.30
- John David or Pamela D. Hayes-#2513-$95.40
- Dean A. & Patricia P. Smith-#2514-$103.86
- Whitney or Teresa Westfall-#2515-$127.56
- John L. & Patty S. Ward-#2521-$509.82
- Susan O'Dell-#2522-$408.68
- Michael G. & Louise H. Reese-#2525-$111.53
- Jeffrey T. & Amanda S. Craig-#2527-$905.56
- Denver Keith & Julia M. Carr-#2528-$57.73
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- Denver Keith & Julia M. Carr-#2529-$61.85
- Jimmie Ray Lemons-#2531-$55.67
- Wease L. Day-#2434-$333.04
- Patty Perrine-#2535-$93.56
- Lejeune & Gail Lewis-#2536-$227.80
- Edwards Russ Trust Number 5-#2537-$521.44
- Ruth & Howard Exline-#2538-$40.66
- Ruth & Howard Exline-#2539-$43.14
- Nathan Lyons-#2540-$61.80
- James E. & Wilma Westfall-#2542-$2.06
- Leon & Dorothy M. Lantz-#2544-$575.42
- Evelyn & James Overton-#2545-$662.22
- Timothy M. Winans-#2546-$111.59

With no further business, the Commission meeting adjourned at 3:20 p.m.